Petitioners

Deborah Rollins Frank

## \* \* \* \* \* \* \* \* \* \* \* FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owners of the subject property, Deborah and George Frank, by and through their attorney, Roger Elliott, Esquire. The Petitioners request a special exception to use the subject property as an animal boarding place and riding stable, pursuant to Section 1A01.2.C.2 and 17 of the Baltimore County Zoning Regulations (B.C.Z.R.), as more particularly described on Petitioner's Exhibit 1.

The Petitioner, Deborah Frank, appeared and testified on behalf of the Petition, and was represented by Roger Elliott, Esquire. Numerous residents of the area appeared in opposition to the relief requested.

Testimony indicated that the subject property, known as 16724 Miller Lane, consists of approximately 70 acres zoned R.C. 2, and is improved with a single family dwelling, a barn, various pasture land, and paddocks. The Petitioner filed the instant Petition as a result of a complaint filed by an adjoining property owner as to the use of the property as a riding stable. Deborah Frank testified that she has been a riding teacher and horsebreeder for the past 40 years. She testified that she and her husband have operated the subject riding stable for the past 3 and 1/2 years and was unaware of the need for a special exception. Mrs. Frank stated that at the time of her purchase of the property, there were 22

horses living on the site and she believed that she could continue to utilize the property as a riding stable. Mrs. Frank testified that there are currently 40 horses and ponies kept on the farm. Of those, 7 horses are boarded there by their respective owners, and 7 horses are used by Mrs. Frank to teach students horseback riding. Mrs. Frank testified that she currently teaches approximately 10 lessons per week and that this operation constitutes their sole income. Testimony indicated that the remaining horses and ponies kept on the property are used for breeding purposes or have been placed there for retirement.

Mrs. Frank testified that she placed the entire site into the agricultural trust and that it will remain in that trust for the next 25 years. She testified that she did this in order to preserve and maintain the agricultural use of this property as a horse farm.

Also appearing on behalf of the Petitioner was Frank Thompson. Mr. Thompson testified that he lives in the area and uses Miller Lane all the time. Mr. Thompson testified that Miller Lane is a safe road as long as people drive at the proper speed and use common sense.

Appearing and testifying in opposition to the Petitioner's request was Phil Santiago. Mr. Santiago expressed concerns over Miller Lane which is the access road to the subject site. He testified that Miller Lane is a very narrow country road and has several steep hills and sharp curves in it. He testified that it is very dangerous for two cars to pass on Miller Lane and that a commercial riding stable would attract additional traffic and make Miller Lane even more hazardous.

Also appearing and testifying in opposition to the Petitioners' request was Sue Santiago. She testified that she is very much concerned about the level of traffic on Miller Lane. She testified that her chil-

- 2-

dren walk along Miller Lane from the bus stop located at the intersection of Mt. Carmel Road and Miller Lane. She stated that it is very dangerous for children to walk along this road and that additional traffic could impose a more hazardous situation to the children walking to and from the bus stop.

The other Protestants appearing at the hearing basically voiced the same concerns as the previous witnesses. Ms. Cathy Warns did testify that on one occasion, the horses got loose from the Petitioner's property and came across her own property. Mrs. Frank stated that this did happen but that she took appropriate measures to insure that it would not happen again in the future. The cause of the horses getting out was that one of the gates was left open and the horses wandered out onto Mrs. Warn's property. Mrs. Frank testified that the entire site is fenced and that it is difficult for the horses to get out.

Testimony and evidence presented at the hearing indicated that the Petitioner has been operating at the subject location for the past 3 and 1/2 years. There was no testimony regarding any traffic accidents involving any of the students or patrons who utilize the Petitioner's farm for the boarding and riding of horses. There have been "near misses" between the residents who live in the area, but no real accidents. It appears that the present operation on the subject property poses no additional traffic hazard on Miller Lane other than what naturally exists by virtue of the narrow, winding nature of Miller Lane. However, any expansion of the Petitioner's use might pose a problem by virtue of additional traffic being generated. Therefore, I shall grant the continued use of the property as it exists today, but, there shall be no further expansion of such

- 3-

use without a future public hearing on the appropriateness of such an

After the hearing, I found it necessary to make a site inspection of the property in order to familiarize myself with Miller Lane. I agree with the Protestants and all those who testified that Miller Lane is a narrow country road and is difficult to negotiate. There are several hills and sharp turns that could cause a problem if one driving Miller Lane is driving too quickly or does not use common sense. Therefore, it shall be the responsibility of Mrs. Frank to educate and advise her students and anyone else associated with her farm to use caution while traveling Miller Lane and be respectful of the residents who live in the area.

It is clear that the B.C.Z.R. permits the use proposed in the D.R. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the nelief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14% day of December, 1992 that the Petition for Special Exception to use the subject property as an animal boarding place and riding stable, pursuant to Section 1A01.2.C.2 and 17 of the Baltimore County Zoning Regulations (B.C.Z.R.), as more particularly described on Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

> 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> 2) The use of the subject property as an animal boarding place and riding stable shall be limited to that which exists today in accordance with the follow-

a) The Petitioner is limited to boarding 7 horses on the property at any one time.

b) The Petitioner is limited to keeping 1 horses on the property for purposes of teaching horseback

c) All other horses on the property shall be for breeding purposes or shall be retired.

d) The Petitioner is limited to teaching 10 riding lessons per week. The Petitioner shall keep accurate records evidencing same.

3) The Petitioner shall maintain detailed records demonstrating those horses which are kept on the property for boarding purposes and those which are used for horseback riding lessons.

4) The Petitioner shall be prohibited from offering for sale any items from the subject property.

5) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property and all records associated with the riding stable to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

6) When applying for any permits, the site plan and/ or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

- 6-

Cortoco IMOTHY M. KOTROCO Deputy Zoning Commissioner

TMK:bjs

for Baltimore County

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

December 14, 1992

(410) 887-4386

Poger Elliott, Esquire 1 Willow Avenue Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION W/S Miller Lane, 1/2 Mile S of Mt. Carmel Road (16724 Miller Lane) 7th Election District - 3rd Councilmanic District Deborah Rollins Frank - Petitioner Case No. 92-366-X

Dear Mr. Elliott:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very truly yours,

TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

cc: Mr. & Mrs. Phil Santiago 16801 Miller Lane, Parkton, Md. 21120

> Mr. & Mrs. Robert D. Warns 16710 Miller Lane, Parkton, Md. 21120

Ms. Jeanne R. Warns 16729 Miller Lane, Parkton, Md. 21120

People's Counsel

City and State Attorney for Petitioner: Type or Print Name) Attorney's Telephone No.: 221-1530

(Type or Print Name)

Contract Purchaser/Lessee:

tract purchaser or representative to be contacted

Garage & Jobseph Frank

MON./TUES./WED. - NEXT TWO MONTHS REVIEWED BY: DATE 3 20-97

377

Petition for Special Exception

to the Zoning Commissioner of Baltimore County	92-366-X
The undersigned, legal owner(s) of the property situate	in Baltimore County and which is

described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the PRINDER OF HOME TO PARIS COLORED

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

\_\_\_\_\_\_

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): Librard Rukhus Frince

Name, address and phone number of legal owner, con-

16734 Jullan Lane Low Chat Id 3-182147 ESTIMATED LENGTH OF HEARING -1/2HR.

AVAILABLE FOR HEARING +1HR.

- 5-

Miller Rd. Property Exhibit A

BEGINNING for the first at a stone heretofore set at the beginning of that 9th parcel of land, which by a deed dated July 16, 1979 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. 6051, folio 374, was conveyed by James R. LeFaivre, Personal Representative of the Estate of Louis G. LeFaivre, deceased, unto John H. Carroll, David E. Gonzales, Richard W. Carroll and Martha L. Carroll, trading as Carroll's Farms Partnership, and running thence the following outlines of the aforesaid parcel 9, the following 5 courses and running thence the lollowing outlines of the aforesald parcel 3, the following o courses and distances, as now surveyed, viz: South 43° 19' 34" West 787.38 feet to an iron pin now set; thence South 58° 47' set; thence South 62° 10' 27" East 247.50 feet to an iron pin now set; thence South 58° 47' 54" East 1874.95 feet to an iron pin now set, thence North 49° 05' 27" East 478.50 feet to a Tailroad spike now set in Miller Lane, thence running North 50° 41' 07" West 2124.89 feet to the place of beginning. Containing 29.911 acres of land, more or less, according to a survey made November 9, 1981 by McKee, Duval & Associates, Inc.

BEGINNING for the second at the beginning of a tract of land of which the parcel now being described is a part and which said whole tract of land is firstly described in a Deed dated April 20th, 1981 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 6278, folio 019, from Carroll's Farms Partnership to Lee S. Malone and Neal E. Malone; and running thence from the said place of beginning and binding on the 1st, 2nd, and 3rd lines of the whole tract (6278/019), the three following courses and distances, viz: 1) N 70° 30' 00" W 247.50'; 2) S 33° 00' 00" W 206.25'; and 3) S 03° 00' 00" W 643.50'; thence running for a line of division now made through the said whole tract (6278/019), S 59° 45' 17" E 1586.81' to intersect the 10th line of the said whole tract (6278/019) at a point measured N 41° 30' 00" E 340.19' from the beginning of the said 10th line; thence running and binding on part of the said 10th line to the end thereof and continuing and binding on the 11th line of the said whole tract to the end thereof N 41° 30' 00" E, in all, 1111.81'; thence running and binding on the 12th or Inst line of the said whole tract (6278/019), N 67° 57' 45" W 1864.43' more or less to the said place of beginning. CONTAINING 40.532 Acres of land more or less, and being known as Parcel "B" as shown on the Plat "Malone Property" prepared by George T. Keller, Registered Property Line Surveyor No. 67, dated February 26, 1987, which is attached hereto and made a part hereof.

Being the same lot of ground described in a Deed dated 3/19/87 from The Gralan Company unto Lee S. Malone and recorded in Liber 7468, folio 242 in the Land Records of Baltimore County, MD

## CERTIFICATE OF POSTING

Posted for:  Petitioner: District Translate Tr		2025	
Location of Signer Mark State of Brown Line Land		_2 <i>4</i> 225	
Location of Signer Villate State of Discourse Little			
	2 F 1.70		
Remarks:			
Posted by Date of ref	turn:		

## CERTIFICATE OF POSTING ING DEPARTMENT OF BALTIMORE COUNTY

			$\hat{R}$ .	<b></b>
Location of property: 12/2 /2/24/24 /22/24/24	' '			
14724 Mille Lan				
Location of Signer 11 / Missels and the	16 Care	<u> </u>	enderfrende	
				• • • •
Posted by Signature				<b></b>

The Zoning Commissioner of Ballimore County, by authority of the Zoning Act and Regulations of Ballimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeatte Avenue in Towson, Maryland 21204 as follows: Case Number: 92-368-X W/S Miller Lane, 1/2 mile S of Mt. Carmel Road 16724 Miller Lane 7th Election District 3rd Councilmanic Petitioner(s): Deborah Rollins and George Frank Hearing Date: Thursday, April 30, 1992 at 10:00 a.m. Special Hearing: for an animal coarding place and riding stable.

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of \_\_\_\_ successive weeks, the first publication appearing on 4-7, 1992

THE JEFFERSONIAN.

PUBLIC HEARING FLES 050 -SPECIAL EXCEPTION LAST NAME OF OWNER: ROLLING-FRANK

County Office Rudding Coll Chesop has been

111 West Chesapeake Avenue

Towson, MD 21204

Account: R-001-6150

92-366

Cashier Vandation

Paliting to County Government off coof Zoning Administration and Development Management Connected Planning & Zoning

(410) 887-3353

. West Chesam Sc. Wes

wsom, MD 242 or

George and Deborah Frank 16724 Miller Lane Parkton, Maryland 21120

Dear Petitioner(s):

CASE NUMBER: 92-366-X W/S Miller Lane, 1/2 mile S of Mt. Carmmel Road 16724 Miller Lane 7th Election District - 3rd Councilmanic Petitioner(s): Deborah Rollins and George Frank

Please be advised that \$ 74.76 is due for advertising and posting of the above captioned

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

DIRECTOR

cc: Roger Elliott, Esq.

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

(410) 887-3353

MARCH 27, 1992

111 West Chesapeake Avenue

Towson, MD 21204

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-366-X W/S Miller Lane, 1/2 mile S of Mt. Carmel Road 16724 Miller Lane 7th Election District - 3rd Councilmanic Petitioner(s): Deborah Rollins and George Frank HEARING: THURSDAY, APRIL 30, 1992 at 10:00 a.m.

Special Exception for an animal boarding place and riding stable.

Baltimore County

cc: George and Deborah Frank Kathy Warns

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(410) 887-3353

JULY 21, 1992

NOTICE OF REASSIGNMENT

Baltimore County Government

Office of Zoning Administration

and Development Management

Office of Planning & Zoning

CASE NUMBER(S): LEGAL OWNER

LOCATION:

111 West Chesapeake Avenue

Towson, MD 21204

92-36**6-X** George and Deborah Frank 16724 Miller Lane

HEARING OF THE ABOVE MATTER WILL TAKE PLACE AS FOLLOWS:

WEDNESDAY, AUGUST 26, 1992 at 11:00 a.m.

IN THE BALTIMORE COUNTY ROOM 106, COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204.

ZONING COMMISSIONER

BALTIMORE COUNTY

cc: George and Deborah Frank Kathy Warns Roger Elliott, Esq.

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

(410) 887-3353

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NOTICE OF POSTPONEMENT AND REASSIGNMENT

AUGUST 5, 1992

CASE NUMBER: George and Deborah Frank PETITIONER(S): 16724 Miller Lane LOCATION:

THE ABOVE MATTER, PREVIOUSLY ASSIGNED TO HEARD ON AUGUST 26, 1992 HAS BEEN POSTPONED AT THE REQUEST OF ROGER ELLIOTT, ATTORNEY FOR PETITIONERS.

THE NEW HEARING DATE IS AS FOLLOWS:

TUESDAY, SEPTEMBER 15, 1992 at 2:00 p.m. IN ROOM 118, OLD COURTHOUSE, 400 WASHINGTON AVENUE, TOWSON, MARYLAND

Arnold Jablon Director

cc: George and Deborah Frank Roger Elliott, Esq. Kathy Warns

AJ:ggs

Printed on Recycled Paper

in the free Herychest scene

111 West Chesapeake Avenue Towson, MD 2120+

(410) 887-3353

April 27, 1992

Roger Elliott, Esquire l Willow Avenue Towson, MD 21204

RE: Item No. 377, Case No. 92-366-X Petitioner: George R. Frank, et ux Petition for Special Exception

Dear Mr. Fillott:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with above referenced petition. The attached comments from each reviewing agency are not intended to assure that that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning peitions and are aimed at expediting the petition filing process with this office.

The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnell.

> BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS

BALTIMORE COUNTY, MARYLAND

This office has no comments for item numbers 363, 366, 367, 368, 369,

Traffic Engineer II

Mr. Arnold Jablon, Director

and Development Management

Rahee J. Famili

Z.A.C. MEETING DATE: March 30, 1992

SUBJECT: Z.A.C. Comments

Office of Zoning Administration

370, 371, 372, 374, 375, 377, 378, 379, 380, 381 and 382.

DATE: April 1, 1992

Printed on Recycled Paper

111 West Chesapeake Avenue Towson, MD 2120a

(410) 887-3353

Your petition has been received and accepted for filing this 20th day of March , 1991.

Baltimore County Government

Office of Zoning Administration

and Development Management

Office of Planning & Zoning

ZONING PLANS ADVISORY COMMITTE

Petitioner: George Frank, et ux

Petitioner's Attorney: Rodaer Elliott

4494-92

BAL MORE COUNTY, MAR AND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

March 27, 1992

Arnold Jablon, Director Zoning Administration and Development Management

DIVISION OF GROUND WATER MANAGEMENT

SUBJECT: Zoning Item #377, Zoning Advisory Committee Meeting of March 30, 1992, Deborah Rollins Frank & George Frank, W/S Miller Lane, 1/2 mile S of Mt. Carmel Road (#16724 Miller Lane) D-7. Private Water and Sewer

COMMENTS ARE AS FOLLOWS:

More detailed information will be required concerning the proper disposal of animal wastes. Contact J. Robert Powell of this Office at 887-2762 prior to application for the building permit.

\ SSF:rmp

377.ZNG/GWRMP

ZONING OFFICE

BALT ORE COUNTY, MARY AND

OFFICE OF PLANNING AND ZONING

New Courts Bldg - 401 Bosley Avenue, Towson, MD 21204

Arnold Jablon, Director - Zoning Administration & Development Management

4116 97

1/14/92

April 14, 1992

92-365-X 150

SUBJECT: Rollins - Frank Rendevous Farm

Office of Planning and Zoning

INFORMATION

Petitioner:

MEMORANDUM

377 Item Number:

Deborah Robbins Frank

Property Size:

Zoning: Special Exception for an animal boarding place and Requested Action: and riding stable

Based upon a review of the subject property, staff has the following concerns:

The plan lacks sufficient information to provide a detailed analysis. The plat accompanying the petition should be revised to show adjacent land uses and ownership. In addition, access to the property should be clearly shown.

A field inspection in the vicinity of the subject request reveals that the predominant land use is agricultural. Miller Lane (which serves the applicant's property) is a very narrow rural road. When two vehicles pass on this lane, one vehicle must go onto the shoulder of the road where crops are planted in certain places. Presently, this appears to be a minor problem because traffic volume is low; however, some crop damage was noted near the shoulder due to off-road motor vehicle maneuvering.

377.ZAC/ZAC1

Baltimore County Government Fire Department

700 East Joppa Road, Suite 901 Towson, MD 2120+5500

(301) 887-4500

APRIL 2, 1992

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

RE: Property Owner: DEBORAH ROLLINS FRANK AND GEORGE FRANK Location: #16724 MILLER LANE

Item No.: 377(JRA) Zoning Agenda: MARCH 30, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Noted and Planning Group Fire Prevention Bureau Special Inspection Division

JP/KEK

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

April 14, 1992

Arnold Jablon, Director Zoning Administration & Development Management

Ervin McDaniel, Chief Development Review Section

Office of Planning and Zoning

SUBJECT: <u>PETITIONS FROM ZONING</u>
ADVISORY COMMITTEE - March 30, 1992

The Office of Planning and Zoning has no comments on the following petitions:

> Theodore C. Solomon - Item No. 372 James A. Brazil - Item No. 375 Deborah Rollins Frank - Item No. 377 Richard Bauman - Item No. 378 Lakes Property Development Corp - Item No. 379

jm PETITNS2.ZON

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: April 3, 1992 Zoning Administration and Development Management FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for March 30, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 363, 366, 367, 368, 369, 370, 371, 372, 374, 376, 377, 378, 379, 380, 381 and 382.

For Item 362, the parking space that is shown in the Grendon Avenue widening should not be counted in the variance request.

For Items 373 and 375, we think that these sites are subject to Division II of the Development Regulations.

> ROBERT W. BOWLING, P.E. Chief Developers Engineering Division

RWB:DAK:s

RJF/lvd

Charles & Ester

ZENING ENFORCEMENT Baltimore County Zoning Office Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

March 23, 1992

Larry E. Schmidt Zoning Commissioner

James H. Thompson

Zoning Enforcement Coordinator

SUBJECT: ITEM NO. 377 PETITIONER: Deborah J. Rollins

VIOLATION CASE: # C92-158

LOCATION OF VIOLATION: 16724 Miller Lane Parkton Parkton, MD 21120

DEFENDANT:

George W. Frank & Deborah J. Rollins-Frank, et al

16724 Miller Lane Parkton, MD 21120

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

ADDRESS

Kathy Warns

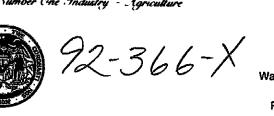
ADDRESS:

16710 Miller Lane Parkton, MD 21120

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

JHT/FD/cer

Nilliam Donald Schaefer Melvin A. Steinberg



Robert L. Walker

February 26, 1992

STATE OF MARYLAND DEPARTMENT OF AGRICULTURE

TO WHOM IT MAY CONCERN:

Rendez-Vous Farm has been licensed with the State Board of Inspection of Horse Riding Stables since 1975. The farm has been inspected yearly and has passed all inspections.

The license was originally issued Rendez-Vous Farm at 7911 Sherwood Avenue, Baltimore, MD 21204. When the stable moved to 16724 Miller Lane, Parkton, MD 21120, the facility was inspected and approved. Following the 6/26/89 inspection, Mrs. Frank requested advice concerning shelter, layout and management practices. I spent a day at the property and, based on my experience, discussed my suggestions.

Mrs. Frank has always made every effort to cooperate with the Board and comply with any recommendations.

The most recent inspection was 2/11/92. The stable passed this inspection.

> Respectfully submitted. Beverly AV Raymond

> > Inspector

BAR

50 HARRY S TRUMAN PARKWAY, ANNAPOLIS, MARYLAND 21401-7080



July 1992

REPLY TO: ROGER L. ELLIOTT ONE WILLOW AVE. TOWSON, MD. 21204-522

OF COUNSEL MAURICE L. ELLIOTT

(410) 821-1580

July 27, 1992

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning 111 West Chesapeake Avenue Towson, MD 21204

RE: Case No.: 92-366-X Legal Owner: George land Deborah Frank Location: 16724 Miller Lane

I would like to request a postponement of the August 26, 1992 hearing date with reference to the above as I will be out of town on a prescheduled vacation until Monday, August 31, 1992. Thank

Case Number: 92-366-X Item Number: 377

To the Hearing Officer:

This Special Exception request for an animal boarding place and riding stable has been in the filing system since 3/20/92, as originally accepted by John Alexander. The request surfaced as a violation case in which inspector Frank DiMeglio advised the owner to file for the Special Exception. The hearing was set for 4/30/92 and then continued due to lack of sufficient information in the case file.

The property owner should have provided a more detailed site plan including, but not limited to, right-of-way widths of adjacent and access roads leading to the site, adjacent property owners and uses, and all improvements on the subject property.

After meeting with the property owner following the original hearing date, she had explained that she could not afford to have another survey and site plan completed. She made an attempt to collect the information that is normally required on the plan via photographs, tax maps, aerial photos, etc. She also stated that the main concerns from a protesting neighbor are possible increased traffic, horses walking on her property, and the disposal of manure. To the contrary, the owner said that these issues have never been problems and that she could obtain testimony from other neighbors supporting her opinion. Lastly, she told me that the operation is limited to: 7 school horses, 7 boarded horses for outside training, 7 privately owned horses by off-site people, 14 boarding stock and retired horses, 11 classes a week, and an average of 11 cars visiting daily.

If there are any other concerns and/or questions pertaining to this case, please contact me.

cc: Frank DiMeglio

92-366-X

3117192

To whom it may concern: We have met mr. & mrs Frank alout Lyears ago they are very rice folks They

John our property. We don't have any com
plaints against them all and their horses

isn't no lother to us. There good neighbors.

There has been horses on that property

where mr. of mrs Frank lives at mow. Junce

1946 and through the years since I have been here. Starting from past to present their was the seven place which he had race horses, work shows and cattle on shar land. Then she carrols moved in shey had Shorses. and then ofter that the malones Came along they had horseand cattle to. Defore on a one trank moved up here blow 4 years ago. I have never heard anyone complaining in the past about Inorses on that property

Suncerely, Frank & Donna Thompson

RENDEZ-VOUS FARM 16724 MILLER LANE PARKTON 21120

"ID Alex Fren in Agriculus Troust Brading, Training Texting Operation.

7 school Horses

7 Boss dons + cots de Training

7 Owners owned in Turing 14. Bracky stock & Roticed holds.

PASSAS A WEEK. If WEATHER

11 MAKS Advange Naily in med unther

PLEASE PRINT CLEARLY	PROTESTANT (S	6) SIGN-IN SHEET	
Cathy Warns Sue Santiag Phil Santiag Ranne R W A Robert D. WARNS		16801 Miller 16801 Miller 16801 Miller	Lane Partton, NO 11  - Lane Parkton, MO 11  - Lane Parkton Md 2  - Lane Parkton MA 2112

PLEASE PRINT CLEARLY	PETITIONER(S)	SIGN-IN SHEET	
Defench Affice	consel.	ADDRESS (W. Mo- Ac	tongo My

Deleach Allie Shows	14. Mon De tong My 11201

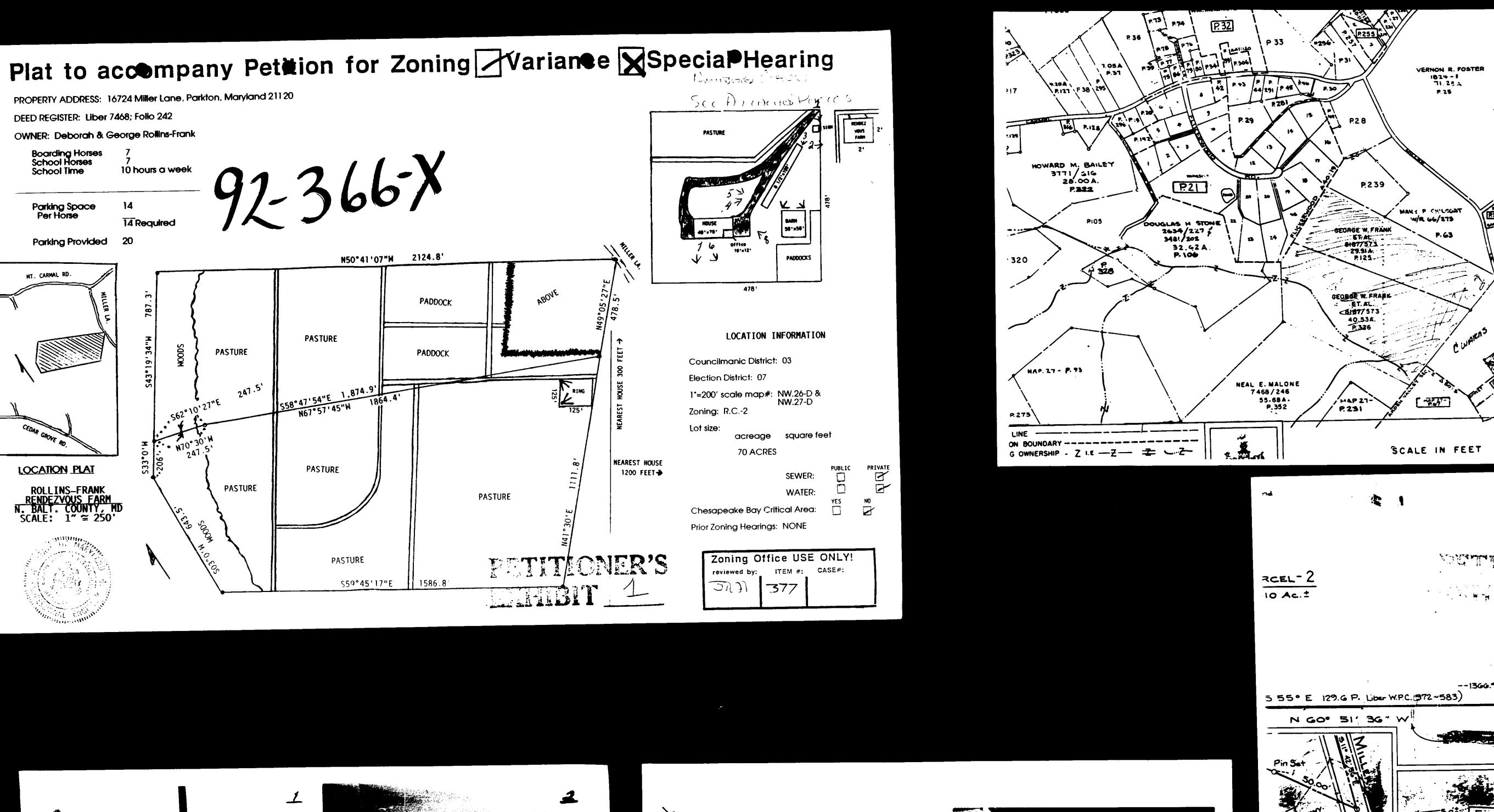
POSTPONEMENT REQUEST

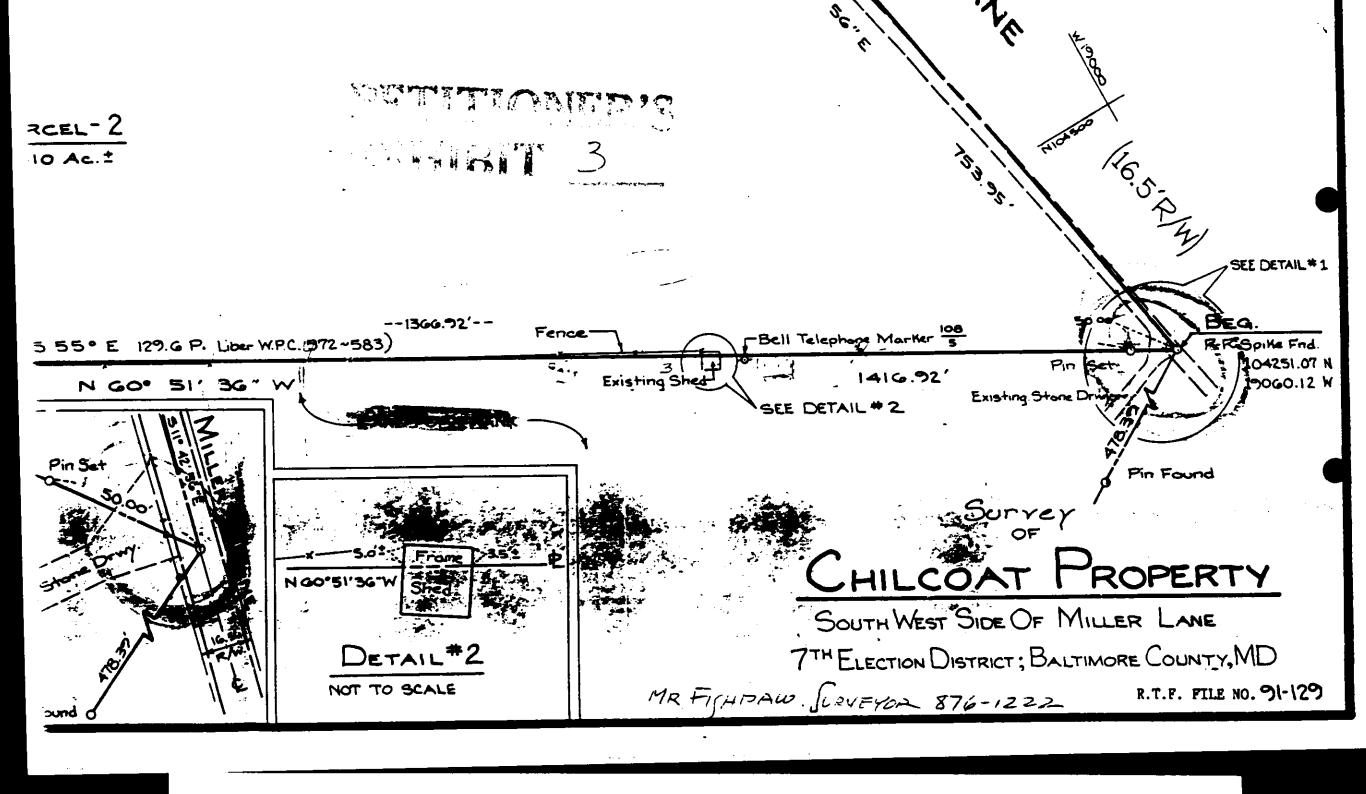
**ELLIOTT & ELLIOTT** 

ATTORNEYS AT LAW

Hearing Date: August 26, 1992 at 11:00 a.m. Dear Sir or Madam:

you for your attention to this matter.



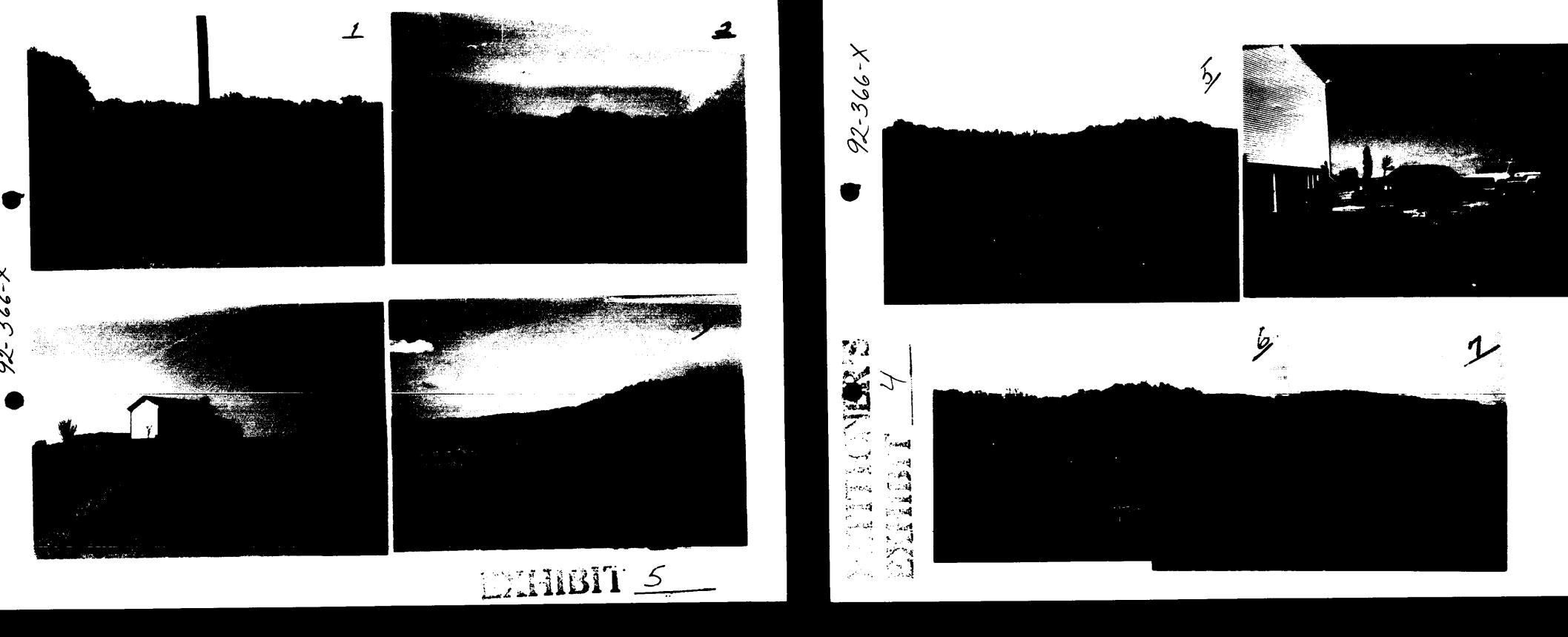


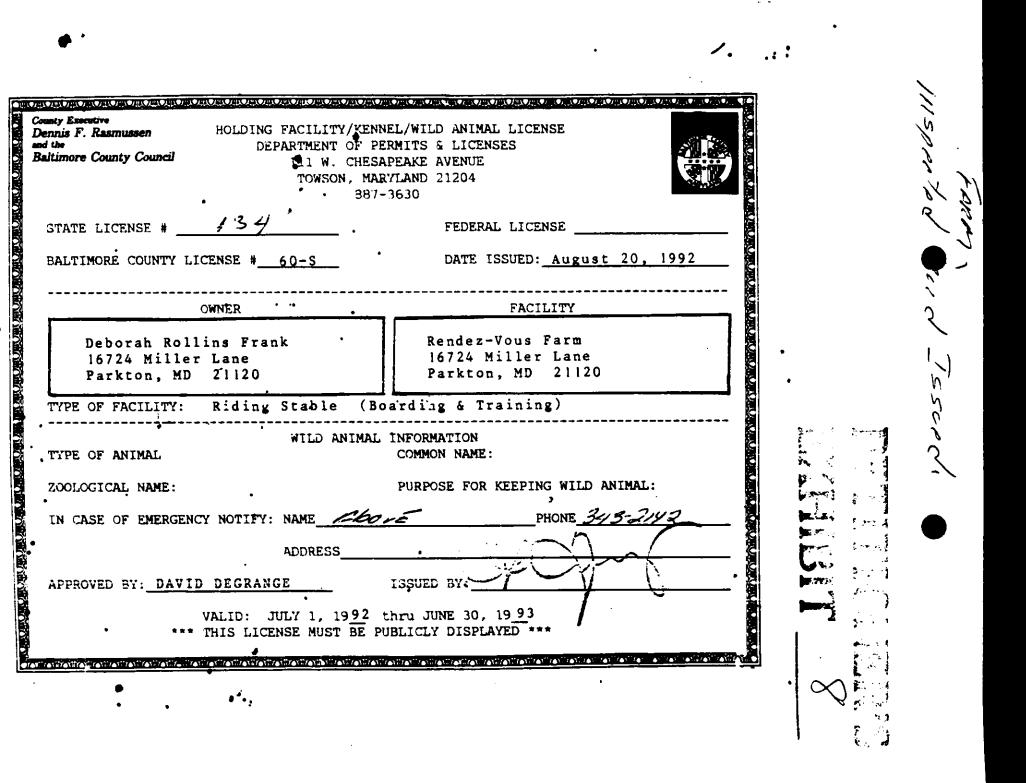
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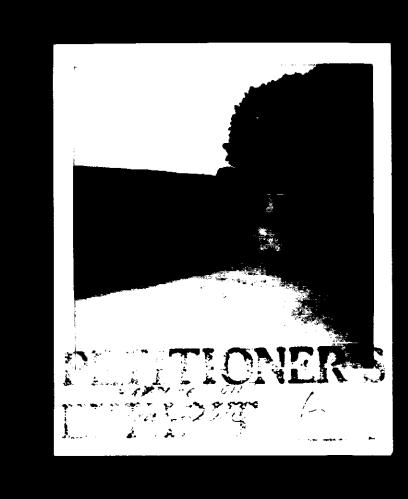
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Petitioner, s (Allibritos (147 (Allibritos (147) (Allibritos (147)





Serving Leople and Maryland's Number One Industry - Spriculture

William Donald Schaefer Governor Melvin A. Steinberg Lt. Governor STATE OF MARYLAND
DEPARTMENT OF AGRICULTURE

Wayne A. Cawley, Jr.
Secretary
Robert L. Walker
Deputy Secretary

February 26, 1992

TO WHOM IT MAY CONCERN:

Rendez-Vous Farm has been licensed with the State Board of Inspection of Horse Riding Stables since 1975. The farm has been inspected yearly and has passed all inspections.

The license was originally issued Rendez-Vous Farm at 7911 Sherwood Avenue, Baltimore, MD 21204. When the stable moved to 16724 Miller Lane, Parkton, MD 21120, the facility was inspected and approved. Following the 6/26/89 inspection, Mrs. Frank requested advice concerning shelter, layout and management practices. I spent a day at the property and, based on my experience, discussed my suggestions.

Mrs. Frank has always made every effort to cooperate with the Board and comply with any recommendations.

The most recent inspection was 2/11/92. The stable passed this inspection.

Respectfully submitted,

Respectfully submitted,

Respectfully submitted,

Respectfully submitted,

RAI

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Inspector

50 HARRY S TRUMAN PARKWAY, ANNAPOLIS, MARYLAND 21401-7080

(410) 841-5700 Baitimora/Annapolis An



Baltimore County Government
Department of Permits and Licenses

111 West Chesapeake Avenue Towson, MD 21204

887-3610

February 6, 1992

Rendez-Vous Farm 16724 Miller Rd. Farkton, MD 21120

TO WHOM IT HAY CONCERN:

the inspection of Rondez-Vous Form, 16724 Millor Wood. Markton has been noted as a very well maintained facility and in full commissions of the standards for holding facilities as addressed in the Politimore County Code.

Most recent inspection was in August 5, 1921.

His. Frank has had a stable license for the root toleron vers and all inspections have been listed as encollent or very good regarding the meintenance of her operation.

Charles J. Esler. Inspector Animal Control Division 13800 Manor Rd., Baldwin, MD 21013

CJE/as

Sincerely,

